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*Liaison Counsel for Direct Action Plaintiffs*

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

IN RE: CATHODE RAY TUBE (CRT)  
ANTITRUST LITIGATION

Master File No. 3:07-cv-05944-SC  
MDL No. 1917

This document relates to:

*Tech Data Corp., et al. v. Hitachi, Ltd., et al.*, No.13-cv-00157;

*Dell Inc., et al. v. Phillips Electronics North America Corporation, et al.*, No. 13-cv-02171;

*Viewsonic Corporation v. Chunghwa Picture Tubes Ltd., et al.*, No.13-cv-02510;

*Siegel v. Technicolor SA, et al.*, No.13-cv-05261;

*Sears, Roebuck and Co., et al. v. Technicolor SA*, No. 13-cv-05262;

*Best Buy Co., Inc., et al. v. Technicolor SA, et al.*, No. 13-cv-05264;

*Schultze Agency Services, LLC v. Technicolor SA, Ltd., et al.*, No. 13-cv-05668;

*Target Corp. v. Technicolor SA, et al.*, No.

**DECLARATION OF PHILIP IOVIENO IN  
SUPPORT OF DAPs' OPPOSITION TO  
MITSUBISHI ELECTRIC  
SUBSIDIARIES' NOTICE OF MOTION  
AND MOTION FOR SUMMARY  
JUDGMENT**

Judge: Hon. Samuel Conti

Date: February 6, 2015

Time: 10:00 AM

Place: Courtroom 1, 17<sup>th</sup> Floor

13-cv-05686;

*Costco Wholesale Corporation v. Technicolor SA, et al.*, No. 13-cv-05723;

*Electrograph Systems, Inc., et al. v. Technicolor SA, et al.*, No. 13-cv-05724;

*P.C. Richard & Son Long Island Corporation, et al. v. Technicolor SA, et al.*, No. 13-cv-05725;

*Office Depot, Inc. v. Technicolor SA, et al.*, No. 13-cv-05726;

*Interbond Corp. of Am. v. Technicolor SA, et al.*, No. 13-cv-05727;

I, **PHILIP J. IOVIENO**, declare as follows:

1. I am a partner at the law firm of Boies, Schiller & Flexner LLP, liaison counsel for the Direct Action Plaintiffs (“DAPs”) in this matter, and I am licensed to practice law in the State of New York and admitted to practice *pro hac vice* before this Court. Except for those matters stated on information and belief, which I believe to be true, I have personal knowledge of the facts recited in this declaration and, if called upon to do so, I would competently testify under oath thereto.

2. The depositions of Mitsubishi witnesses Koji Murata and Masahiko Konishi took place on December 8-9, 2014, and December 10-11, 2014, respectively. Counsel for Mitsubishi has stated that Mitsubishi will produce Kunihiro Seki for his deposition in January 2015, and the DAPs intend to depose Mr. Seki in January 2015.

3. It remains possible that evidence may be adduced from this final discovery to be taken from Mitsubishi over the next few weeks which is relevant to the DAPs’ opposition to the summary judgment motion of Mitsubishi Electric US, Inc. and Mitsubishi Electric Visual Solutions America, Inc. regarding their participation in the CRT conspiracy.

1 I declare under penalty of perjury that the foregoing is true and correct.

2 Executed on this 23rd day of December, 2014 at Albany, New York.

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4 /s/ Philip J. Iovieno

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